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05 UNITED STATES DISTRICT COURT
06 WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

07 UNITED STATES OF AMERICA,) CASE NO. MJ 19-409
08 Plaintiff,)
09 v.) DETENTION ORDER
10 ANDREW HEYWARD,)
11 Defendant.)
12 _____)

13 Offense charged in Complaint:

14 Assault and Resisting of a Federal Officer, 18 USC Sec. 111(a)(1)

15 Date of Detention Hearing: September 3, 2019

16 The Court, having conducted a detention hearing pursuant to 18 U.S.C. § 3142(f), and
17 based upon the factual findings and statement of reasons for detention hereafter set forth,
18 finds that no condition or combination of conditions which defendant can meet will
19 reasonably assure the appearance of defendant as required and the safety of other persons and
20 the community.

01 FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

- 02 (1) The complaint alleges that, early one morning, defendant struck a Federal Protective
03 Service Officer in her face at the Jackson Federal Building, and then assaulted another
04 officer who came to her assistance. It appears to be a misdemeanor assault charge,
05 although that is not entirely clear from the allegations of the complaint and the
06 language of the statute. Extended detention is not appropriate in a misdemeanor case.
- 07 (2) GPS monitoring is an essential element of any release conditions which would provide
08 reasonable assurance of the safety of other persons and the community, and of
09 defendant's likelihood to make his appearances as required.
- 10 (3) Defendant is essentially homeless. He has recently been residing at Compass Center,
11 which is basically a shelter. Although he could return there, that facility is not
12 equipped to accommodate the needs of a person on GPS monitoring.
- 13 (4) Defense counsel proposes that defendant reside at a Residential Re-Entry Center
14 which can meet the needs of a person on GPS monitoring. The court requested the
15 pretrial services officer and defense counsel to pursue this possibility. If satisfactory
16 placement is available, defense counsel may move to re-open this detention order.
- 17 (5) If defendant is released, the conditions should include drug conditions; mental health
18 treatment; and no contact with the female officer whom he allegedly assaulted; or with
19 Precious Alexander, the mother of his children. There is already a "no-contact order"
20 in effect as to Ms. Alexander.

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02 It is therefore ORDERED:

- 03 1. Defendant shall be detained pending trial and committed to the custody of the
04 Attorney General for confinement in a correction facility separate, to the extent
05 practicable, from persons awaiting or serving sentences or being held in custody
06 pending appeal;
- 07 2. Defendant shall be afforded reasonable opportunity for private consultation with
08 counsel;
- 09 3. On order of the United States or on request of an attorney for the Government, the
10 person in charge of the corrections facility in which defendant is confined shall deliver
11 the defendant to a United States Marshal for the purpose of an appearance in
12 connection with a court proceeding; and
- 13 4. The Clerk shall direct copies of this Order to counsel for the United States, to counsel
14 for the defendant, to the United States Marshal, and to the United State Pretrial
15 Services Officer.

16 DATED this 3rd day of September, 2019.

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18 s/ John L. Weinberg
United States Magistrate Judge

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